



Chapter 4

The RMP Planning Process

4.1 Overview

This chapter summarizes the principal factors that most influenced development of the Black Canyon Reservoir and Montour WMA RMP (as illustrated in Figure 4.1-1). These factors were identified through the following two fundamental processes:

1. Review and analysis of regional and study area resource inventory data, and current land use and management prac-

tices; and Federal laws and Reclamation policies and authorities (see Appendix B).

2. A public involvement program and agency and Tribal consultation focused on feedback and input from public meetings/workshops, newsbriefs, Ad Hoc Work Group (AHWG) meetings, and other meetings and communications.

A detailed Problem Statement defining the major opportunities, constraints, and planning issues was developed based on input from the processes listed above (see Appendix C).

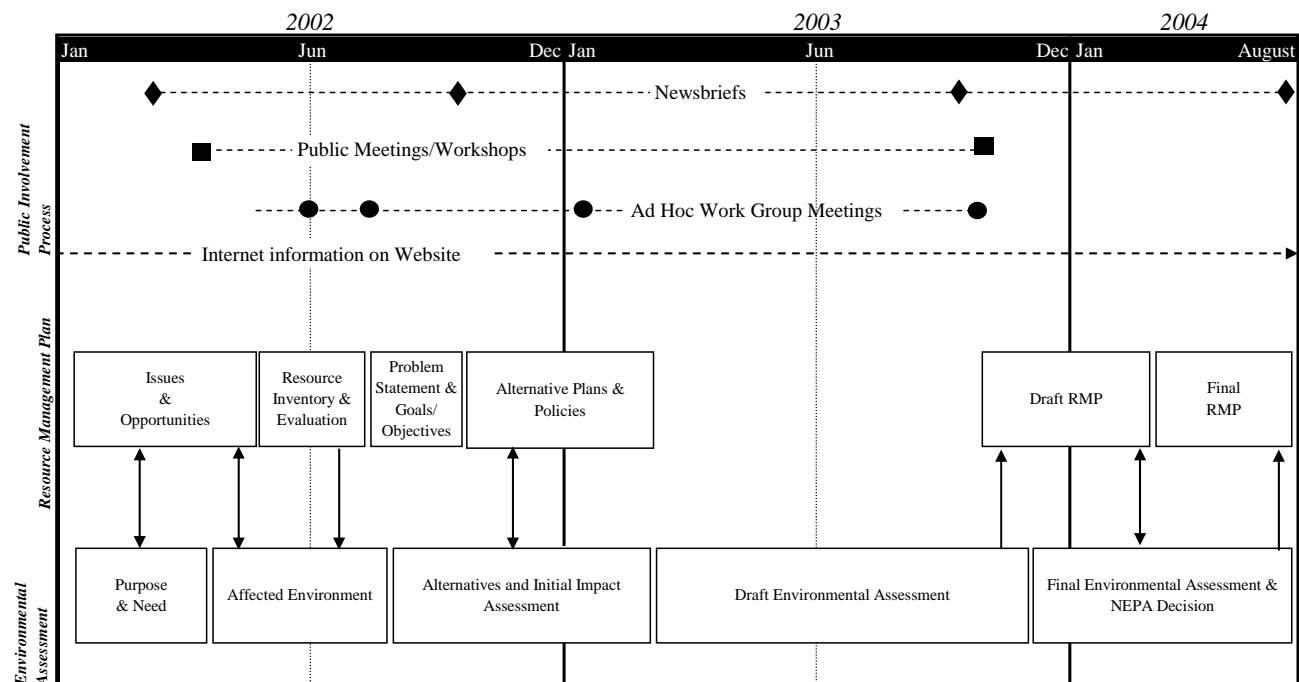


Figure 4.1-1: RMP planning process and RMP schedule.

The most commonly mentioned issues by those providing input during development of the RMP were the overall protection of vegetation and wildlife. Also mentioned frequently were dealing with increasing demand vs. carrying capacity, as well as specific comments related to weed control. Table 4.1-1 lists the primary issues of concern raised in the first public meeting and through written comment in response to the first newsbriefs, AHWG meetings, and agency and stakeholder meetings. These issues are described in detail in the Problem Statement contained in Appendix C. While not all issues of concern are listed in Table 4.1-1, the Problem Statement provides a comprehensive review and understanding of all of the issues, needs, and opportunities (including all relevant perspectives) that are addressed by the RMP.

The Problem Statement was also used to guide the development of the RMP Goals and Objectives, which are the foundation upon which alternative Management Actions were developed (described in detail in Chapter 5).

The range of alternatives was reviewed by the public and the Ad Hoc Work Group. The alternatives were also identified and analyzed in the Draft Environmental Assessment (EA) for the Black Canyon Reservoir and Montour WMA RMP to investigate potential environmental effects (Reclamation 2004).

Letters of comment on the Draft EA were received from one state agency and 15 members of the general public (10 who submitted a signed form letter). The Preferred Alternative was modified using these consultation and assessment processes.

4.2 Public Involvement Program

Reclamation initiated a public involvement program in February 2002 and continued it throughout the planning process to support development of the RMP (see Figure 4.1-1). The program included: (1) four newsbriefs; (2) two public meetings/workshops; (3) four meetings with the AHWG representing key

Table 4.1-1. Primary issues of concern identified during the initial RMP phase, based on public input.

Natural & Cultural Resources
Overall protection of vegetation and wildlife
Habitat improvements at Montour WMA
Hunter use/demand vs. wildlife and habitat protection at Montour WMA
Impacts of recreation and other uses
Erosion of the reservoir shoreline
Weed control
Impacts of use on cultural resources
Recreation
Dealing with increasing demand vs. carrying capacity
Expansion and improvement at site-specific facilities
Potential need for new facilities, such as marina, concessions, group sites, trails
Accessibility issues
Land Use & Overall Management

agencies, organizations, Tribes, and stakeholders in the study area; and (4) a project website providing information to the public and a forum in which to comment on the process. Each of these program components is described in further detail below.

4.2.1 Newsbriefs

The first newsbrief was mailed in March 2002 to about 200 individuals, organizations, and Tribes. It explained the RMP planning process, announced the project schedule, introduced the team members, and provided a mail-in response form for submitting issues and initial comments on the management and facilities in the study area. This information was used to help lay the foundation for the Problem Statement and subsequently form the Goals and Objectives for the RMP.

In November 2002, the results of the mail-in response form and the issues raised at the first public meeting were summarized in a second newsbrief. These issues were listed in a table and categorized by issue type (natural and cultural resources; recreation, land use and general management). Newsbrief #2 also listed the membership of the Ad Hoc Work Group, as well as provided a summary of the resource inventory conducted for Black Canyon Reservoir and Montour WMA.

The third newsbrief was mailed in September 2003, announcing the availability of the Draft EA for public and agency review. The newsbrief focused on describing the Draft Goals and Objectives established for the RMP planning process, as well as the alternatives as presented in the EA. In addition, it announced the time, location, and date of the official public meeting and described the public comment process for the EA.

The fourth and final newsbrief was mailed in July 2004 to announce the Final EA and the RMP. It also summarized comments received on the Draft EA and provided an overview of the RMP, including implementation.

4.2.2 Public Meetings

The first public meeting/workshop was held on April 24, 2002 in Emmett, Idaho. The purpose of this meeting was to conduct public scoping of the issues at Black Canyon Reservoir and Montour WMA. Approximately 20 people attended the meeting. Reclamation provided information about the RMP planning process, then the participants broke into small work groups to discuss important issues and opportunities the RMP should address.

The second public meeting was held October 9, 2003, in Emmett. Approximately 10 people attended the meeting. The meeting followed a similar format, beginning with presentation of the alternatives. Attendees could then ask questions of the RMP team members at stations that emphasized particular portions of the plan.

4.2.3 Ad Hoc Work Group

The Ad Hoc Work Group met four times: in June and August 2002, and January and October 2003. As part of the August 2002 meeting, the group spent a day touring the RMP study area and becoming more familiar with site-specific issues.

The 19 members brought a wide variety of viewpoints, and, although some were able to participate more than others, the group was of considerable assistance in the alternatives development process. The Preferred Alternative was arrived at through Ad Hoc Work Group discussions, public comments from the second set of public meetings, and the recommendations of agency scientists and planners. The entities represented in the Ad Hoc Work Group are listed in Table 4.2-1.

At the first meeting, the group was introduced to the planning process and asked to identify their issues of concern. This information was recorded and used to help draft the Problem Statement and form the draft Goals and Objectives for the RMP (see Photo 4-1).

At the second meeting, an overview of the resource inventory was presented, focusing on potential opportunities and constraints. The Team also presented and took initial comments on the draft Problem Statement. In conjunction with the second meeting, the AHWG took part in a tour of the RMP study area (see Photos 4-2 through 4-4).

The primary intent of the third meeting was to gather AHWG comments on the Draft Goals and Objectives, as well as to present and receive feedback on a preliminary set of alternatives, including a no action (i.e., status quo) alternative and two action alternatives. The primary purposes of the fourth and final meeting were to: (1) summarize the final EA alternatives, in particular the Preferred Alternative; (2) receive AHWG feedback on the contents of the Draft EA; and (3) present and receive feedback on the RMP management actions and Implementation Program.

4.2.4 World Wide Web

A Black Canyon Reservoir and Montour WMA RMP web site was set up on Reclamation's Pacific Northwest (PN) Region's homepage and updated as a way to provide relevant information to the public. Newsbriefs, contact names/addresses, draft materials, the Draft EA, and meeting announcements were posted on this website. The site also provided a forum for individuals to provide comments on the RMP planning process.

4.3 Tribal Consultation

4.3.1 Overview of Government-to-Government Consultation with Tribes

Reclamation wrote to the Chairman of the Fort Hall Business Council, Shoshone-Bannock Tribes, Chairman of the Shoshone-Paiute Tribal Council, and to the Chairman of the Nez Perce Tribe Executive Committee offering to meet with the Tribal governments and requesting Tribal involvement and identification of Tribal interests. Reclamation contacted staff members of the Shoshone-Bannock, Shoshone-Paiute, and Nez Perce Tribes to discuss the preparation of the RMP and to identify cultural resources, ITAs, traditional cultural properties (TCPs), and Indian sacred sites. Members of the Shoshone-Bannock and Shoshone-Paiute Tribes participated on the Ad Hoc Work Group.



Photo 4-1. The AHWG provides input on issues and opportunities at the first meeting.

Table 4.2-1. Ad Hoc Work Group.

Adjacent Homeowner	Idaho Department of Transportation
Audubon Society	Idaho Northern & Pacific Railroad
Boating Interest	Local Business Interest
Bureau of Land Management	Mayor of Emmett
Fishing Interest	National Resource Conservation Service
Gem County Commissioner	North American Versatile Hunting Dog Association (NAVHDA)
Gem County Sheriff's Office	Personal Watercraft Representative
Gem County Weed Control Board	Shoshone-Bannock Tribes
Gem Economic Development Association	Shoshone-Paiute Tribes
Idaho Department of Fish and Game	



Photo 4-2. During the site visit, the AHWG talks over issues at Cobblestone Park.

The Draft EA was distributed to representatives from the Shoshone-Bannock, Shoshone-Paiute, and the Nez Perce Tribes. No comments on the Draft EA were received from the Tribes.

4.3.2 National Historic Preservation Act Requirements

The National Historic Preservation Act of 1966 (NHPA) (as amended through 1992) requires agencies to consult with Indian Tribes if a proposed Federal action may affect properties to which the Tribes attach religious or cultural significance. The implementing regulations of the NHPA, 36 CFR 800, address procedures for consultation in more detail. Reclamation complied with these requirements in preparing the RMP.

4.3.3 Indian Trust Assets

Indian Trust Assets are legal interests in property held in trust by the United States for Indian Tribes or individuals. The Secretary of the Interior, acting as the trustee, holds many assets in trust for Indian Tribes or Indian individuals. Examples of trust assets include lands, minerals, hunting and fishing rights, and water rights. While most ITAs are on-reservation, they may also be found off-reservation.



Photo 4-3. The AHWG discussing concerns related to the Highway County boat ramps.

The United States has an Indian trust responsibility to protect and maintain rights reserved by or granted to Indian Tribes or Indian individuals by treaties, statutes, and executive orders. These are sometimes further interpreted through court decisions and regulations.

4.3.4 Sacred Sites

Sacred sites are defined in Executive Order 13007 as “any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian Tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion....”

Reclamation informed the Shoshone-Bannock Tribes and the Shoshone-Paiute Tribes about the RMP and requested that they inform Reclamation if they were aware of Indian sacred sites within the study area. The notification and consultation processes were coordinated with the NHPA consultation process. No information on sacred sites was received from the Tribes.

4.3.5 Other Laws and Regulations

The relationship between Federal agencies and sovereign Tribes is defined by several laws

and regulations addressing the requirement of Federal agencies to notify or consult with Native American groups or otherwise consider their interests when planning and implementing Federal undertakings. Among these are the following (also see Appendix B, Legal Mandates):

- National Environmental Policy Act (NEPA)
- American Indian Religious Freedom Act
- Archaeological Resources Protection Act
- Native American Graves Protection and Repatriation Act
- Executive Order 12875, Enhancing the Intergovernmental Partnership
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- Presidential Memorandum: Government-to-Government Relations with Native American Tribal Governments



Photo 4-4. While visiting Montour WMA, the AHWG walks out to investigate a constructed wetland. Regan Butte seen in the background.

- Executive Order 13007, Indian Sacred Sites
- Executive Order 13175 of November 6, 2000, Consultation and Coordination with Indian Tribal Governments (EO 13175 revokes EO 13084 issued May 14, 1998).

4.4 Agency Coordination

Reclamation consulted with several Federal and local agencies throughout the RMP process to gather valuable input and to meet regulatory requirements. This coordination was integrated with the public involvement process.

The evaluation of endangered species contained in the EA served as Reclamation's biological assessment of potential effects to listed and proposed for listing species including bald eagles, gray wolf, bull trout, and the Ute ladies'-tresses orchid, as required under the ESA. The FWS provided comments on the Draft EA in their letter dated February 25, 2004. With the issuance of the Finding of No Significant Impact (FONSI) and Final EA, Reclamation has determined that the Preferred Alternative may affect, but is not likely to adversely affect, the bull trout, orchid, bald eagle, and gray wolf and will not result in any adverse effects on proposed bull trout critical habitat in Squaw Creek. The FWS concurred with this determination, and their letter is provided in Appendix A.